

**TROY GERMAN,
PLAINTIFF, V. BRIAN
ORR, DEFENDANT
WDOK 19-CV-751-F
MOTION EXHIBITS FOR
DEFENDANT ORR'S
MOTION FOR SUMMARY
JUDGMENT**

**EXHIBIT 10 – HARRELL
INTERVIEW SUMMARY 2**



Oklahoma Department of Public Safety
 Oklahoma Highway Patrol
SUPPLEMENTAL FORM

☒ OHP Investigation
☐ Agency Assist

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TITLE OF REPORT **COLONEL MICHAEL HARRELL SUBSEQUENT INTERVIEW**

On Thursday, January 17, 2019, at 10:11 A.M., Colonel MICHAEL HARRELL was interviewed pursuant to criminal investigation case number 18-0631CI. HARRELL is employed as the Chief of the Oklahoma Highway Patrol (OHP). OHP is located at 3600 North Martin Luther King Avenue, Oklahoma City, Oklahoma 73111. The contact telephone number is (405) 425-2003. HARRELL was interviewed by Captain JASON HOLT and Trooper JIM PARISH. The interview was conducted inside HARRELL's office. Also present during the interview was Oklahoma Department of Public Safety (DPS) General Counsel MEGAN SIMPSON. After being informed of the reason for the interview, HARRELL provided the following information.

HARRELL acknowledged he had already provided a written statement and been interviewed prior to this date. He maintained his initial written statement was true and accurate. He acknowledged he was allowed to review the recorded conversation between Captain TROY GERMAN and Captain BRIAN ORR. HARRELL was aware of the recording's content as it related to the allegations being made by GERMAN.

Prior to the telephone conversation with ORR on July 17, 2018, HARRELL had engaged in other conversations with him, both work-related and personal. This occurrence was not out of the ordinary. Also on dates prior to the call, HARRELL and Department of Public Safety Commissioner RUSTY RHOADES had talked about ORR, his presence, and his ability to lead people. He described this type of conversation about OHP members occurs all the time.

The July 17 telephone call was not initiated by HARRELL or ORR. RHOADES had placed the call to ORR. HARRELL was not sure about the subject matter they were talking about. HARRELL did learn it was ORR and eventually asked for the phone. He described it as impromptu.

Once HARRELL had the phone, he identified areas ORR needed to study for the upcoming promotional interview. The whole conversation he had with ORR went that direction. HARRELL explained to ORR it was on him to study and the call ended. HARRELL said all the areas to study came from memory and at no time did he have the questions in front of him while visiting with ORR. Not now, nor then, could HARRELL recall what the exact questions or answers were. HARRELL agreed he provided areas for ORR to study as it's related from ORR to GERMAN on the aforementioned recording. HARRELL did not give ORR any specific questions, just specific areas to study.

INVESTIGATING TROOPER	BADGE #	TROOP	COUNTY	AGENCY CASE #	DATE OF REPORT
CPT JASON HOLT	49	Z	OKLAHOMA	18-0631CI	01/17/2019

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COLONEL MICHAEL HARRELL SUBSEQUENT INTERVIEW

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HARRELL had seen the questions for the Troop A interview board prior to July 17, although he was not aware of the exact date or time. They had been brought to his office by Major GARRETT VOWELL.

HARRELL knew there had been three captain's interview boards the same week, including Troop SO, Troop A, and Troop R. HARRELL never had knowledge of the Troop R or Troop SO questions. There had been conversation at the command staff level that the questions should be different for each troop that week. This difference in questions for different troops had not always occurred.

HARRELL did not communicate the specific interview questions on the Troop A board to anyone prior to the interviews occurring. HARRELL does not believe RHOADES ever saw or knew the questions for the Troop A interview board. They also did not have any conversations about the areas to study for the Troop A board. HARRELL did not know if RHOADES was even paying attention to the the conversation he and ORR had on July 17.

HARRELL did not believe anything he did regarding ORR and the promotional process was inappropriate. He described that giving areas of study for promotional boards has happened in the past. This included for him when he was studying for promotion and by him when he had helped others study.

NOTE: This interview was recorded. The digital file is included with this case.